

## FACILITIES REVIEW COMMITTEE TECHNICAL REVIEW AND RECOMMENDATIONS

### LINDQUIST 28-LOT PLANNED UNIT DEVELOPMENT CU2004-0007 / LD2004-0015 / SV2004-0001

#### **Section 40.03 Facilities Review Committee:**

The Facilities Review Committee has conducted a technical review of the applications, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Planning Commission Decision and Order, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

**The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the five (5) submitted applications as identified below:**

- All eleven (11) criteria are applicable to the submitted Land Division application, LD2004-0015.
- The Conditional Use – Final Planned Unit Development, CU2004-0007, only is applicable to criteria #1 through #4, and #11.
- The Street Vacation, SV2004-0001 only is applicable to criteria #1, #2, #4 and #11.

1. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.*

Chapter 90 of the Development Code defines “critical facilities” to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The applicant's narrative addresses this criterion in each of the proposed applications.

The Committee's findings for critical facilities for the Lindquist planned unit development, with associated land division, and street vacation applications will address each identified facility with the understanding that the overall project is proposed to be constructed in a single phase. The applicant will be providing improvements to adequately serve the entirety of the development. The Committee has reviewed the proposed facilities and find that in order to ensure public

infrastructure is completed and available consistent with the proposal conditions of approval have been recommended to be adopted.

Water Service will be provided to the site by Tualatin Valley Water District (TVWD), design details will be finalized during the site development permit review. The Committee find that the site will be served through a TVWD water line located within the NW Walker Road right-of-way. A six (6) inch line will extend south into the development.

The applicant states that sanitary sewer is available to connect to at the southern side of the development. The Committee find that based upon the submitted utility plan, an existing sanitary sewer line is located within a 20 foot easement at the base of the creek. Site sanitary sewer will be connected to the existing facility via 8-inch lines, design details will be finalized during the site development permit review.

Proposed stormwater drainage and conveyance has been identified and described in the applicant's narrative and plans. The applicant's proposal includes the installation of Stormwater Management Inc. catch basins with filter cartridges, connecting to conveyance swales prior to release into the creek. The applicant has submitted a preliminary stormwater report stating that the system will be designed to meet the City of Beaverton's and Clean Water Services standards. The Committee has found the report and associated utility plans are adequate in addressing the site's on-site surfacewater management (drainage patterns, treatment and quantity control). In order to ensure that the stormfilter maintenance requirements will be met prior to the City taking the maintenance responsibility, the Committee recommends conditions of approval establishing expectations for storm system maintenance.

A traffic analysis was not required. The trip generation of the proposed 28 single-family units is not great enough to meet the threshold requirement (Development Code Sec 60.55.10.7 Traffic Analysis). The surrounding street system will, with the recommended street improvements that are conditions of approval, adequately accommodate the traffic from this proposed development. The development is conditioned to dedicate 2-foot of additional street right of way on the east side of SW 173<sup>rd</sup> Avenue to Beaverton 3-Lane Arterial Street Standards and construct half street lane widening improvements, including a 6 foot wide sidewalk on the south side of NW Walker Road to Washington County standards. The Committee find that the development meets the requirements of Development Code Sec 60.55.15 & 60.55.30, as conditioned. Therefore, staff find the proposal meets the criterion for approval.

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R has reviewed the plan proposal. Prior to the issuance of the site development permit TVF&R will need to sign the site development permit assuring the Department is satisfied with specific site development design.

The Committee find that prior to the approval of the street vacation, the applicant will need to provide a letter from each utility authorized to work in City right-of-way of SW 170<sup>th</sup> Avenue. These letters must document the existing facilities or planned facilities for this street right-of-way and any requests from the utilities.

**Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.**

- 2. *Essential facilities and services are available or can be made available prior to occupancy of the development. In lieu of providing essential facilities and services, a specific plan strategy may be submitted that demonstrates how these facilities, services, or both will be provided within five years of occupancy.***

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way. The applicant’s narrative addresses this criterion for each of the proposed applications.

The site will be served by the Tualatin Hills Park and Recreation (THPRD). THPRD has been provided an opportunity to comment on the application, however, the Committee has not received formal comments from the District in relation to the proposal. The Committee find that the THPRD Master Plan does not include existing or future improvements within the limits of the site. Bicycle and pedestrian connections are identified on the City’s Comprehensive Plan as generally following the 170<sup>th</sup> / 173<sup>rd</sup> intertie alignment. The applicant proposes to construct a soft path along the northern edge of the creek and a shared use pathway crossing the stream within the existing SW 170<sup>th</sup> Avenue right-of-way. The shared-use pathway and associated bridge will need to meet City of Beaverton’s requirements for shared use path standards.

The City of Beaverton Police will serve the development site. The Police Department has received a copy of the submittal but had no comments or recommendations to the Facilities Review Committee.

The Beaverton School District has provided comments addressing the anticipated impacts of the subject project on the District that are attached to the end of this report. To summarize their comments, the District has indicated that the proposal will result in a “negative impact” to schools in the area. While the development may result in a negative impact to the school system, Senate Bill 908 does not allow a jurisdiction to deny a development application solely on the basis of insufficient school capacity. The District also states from a safety and transportation standpoint they recommend sidewalks to be constructed within the subdivision and linkages to school bus stops, likely to “be on Walker Road, which may impede the flow of traffic.”

The site is served by Tri-Met bus service. Tri-Met has not provided comments addressing transit needs and potential future transit stops within the vicinity of the development.

The Committee find that prior to the approval of the street vacation, the applicant will need to provide a letter from each utility authorized to work in City right-of-way of SW 170<sup>th</sup> Avenue. These letters must document the existing facilities or planned facilities for this street right-of-way and any requests from the utilities.

The Committee have reviewed the proposal for adequate essential facilities and have found that the essential street facilities to serve the site are conditions of approval.

**Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.**

- 3. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance which shall be already approved or considered concurrently with the subject proposal.***

Staff cite the Code Conformance Analysis chart at the end of the Facilities Review Committee report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban Standard Residential R-7 zone, as applicable to the above mentioned criterion.

**Therefore, the Committee find the proposal meets the criterion for approval.**

- 4. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Regulations) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Regulations) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Staff cite the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates to applicable Code requirements of Chapter 60 for the Urban Standard Residential R-7 zone, as applicable to the above mentioned criterion. Below are additional Chapter 60 Sections which are not included in the Code Conformance Analysis.

Transportation staff reviewed the proposal as it relates to Transportation Facilities, Development Code Section 60.55. Street right of way dedication of 2-foot on the east side of SW 173<sup>rd</sup> Avenue and the half street lane widening improvements on the

south side of NW Walker Road are conditions of approval (Development Code Sec 60.55.10). Therefore, the proposal will be consistent with Chapter 60.

Dedication of full width street right-of-way through the southwestern corner of the site for the Washington County Arterial Street Improvement Project known as the SW 170<sup>th</sup>/173<sup>rd</sup> Avenue Intertie Connection is also conditioned. The description of the dedication alignment is to be based on the Washington County project centerline description. The project is being constructed by Washington County to Beaverton Arterial Street Standards, 74 feet of total street right of way (Development Code Section 60.55.45).

To satisfy block spacing and shared use accessway requirements (Development Code Section 60.55, the applicant has depicted on the submittal a pathway within the existing SW 170<sup>th</sup> Avenue right-of-way (proposed to be vacated SV2004-0001). The Committee have recommended a condition of approval that this shared use accessway should be constructed at a minimum 10 foot wide paving within a 15 foot public easement. The inside dimension of the bridge will need to be a minimum width of 10 feet.

**Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.**

- 5.     *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency;***

The applicant states that the development will meet the criteria for approval as the PUD application details the construction of new streets, which will provide means to provide the means for access maintenance, etc., to the serve the development.

The Committee find that the development will have to establish a Homeowner's Association to ensure the continued periodic maintenance and necessary normal replacement of the private streets, common areas, including the pathways and wall. The applicant is required to submit CC&R's at the time of the final plat, which will be reviewed by the City Attorney for adequacy in relation to the established conditions of approval of this project. Therefore, the Committee find that the proposed layout and site do not include any element where the owner's could not accomplish the necessary private maintenance. In addition the design of the site does not prevent maintenance of public facilities by the City.

**Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.**

**6. *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site.***

The applicant states that vehicular and pedestrian circulation patterns within the site have been designed to be both safe and efficient.

The Committee cite the findings for criteria #'s 1 and 4 in which the Committee has reviewed the proposal and have recommended conditions of approval that will ensure the site shall have adequate internal vehicular circulation, in conformance with Development Code Section 60.55.15, and adequate internal pedestrian circulation, in conformance with Development Code Section 60.55.65 and 60.55.70. A soft-path is proposed along the northern boundary of the creek and a shared use access pathway is proposed within the existing SW 170<sup>th</sup> Avenue right-of-way. The shared use path will need to meet the City's design standards which have been recommended as a condition of approval.

With conditions of approval, the site shall have adequate internal vehicular circulation, in conformance with Development Code Sec 60.55.15, and adequate internal pedestrian circulation, in conformance with Development Code Sec 60.55.65 and 60.55.70.

**Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.**

**7. *The on-site vehicular and pedestrian circulation system connects to the surrounding circulation system in a safe, efficient, and direct manner.***

The Committee have reviewed the proposal and have recommended conditions of approval to connect to the surrounding vehicular circulation system, in conformance with Development Code Sec 60.55.15, and to the pedestrian circulation system, in conformance with Development Code Sec 60.55.65 and 60.55.70. The development is conditioned to construct a 10 foot wide Shared Use Path within a 15 foot easement from the site's eastern most cul-de-sac south across the wetlands area, with a wetlands crossing, to the southern property line. The pathway will have a future connection to the south in conjunction with the development of the 170<sup>th</sup> / 173<sup>rd</sup> intertie project.

In addition, the applicant has been working with City and County staff to appropriately design and locate the vehicular access point on SW Walker Road. Through this coordination and intersection design proposed, the Committee find the

vehicular access to the surrounding circulation system will meet the criterion for approval. The applicant will need to provide evidence that the project has received Washington County approval for the access location and work to be conducted within the right-of-way of Walker Road prior to the issuance of the site development permit.

**Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.**

- 8. *Structures and public facilities and services serving the site are designed in accordance with adopted City codes and standards at a level which will provide adequate fire protection, including, but not limited to, fire flow, and protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development;***

Public facilities serving the site will be designed in accordance with adopted City codes and standards that provide adequate fire protection through adequate fire flow, emergency vehicle access and lot design. The proposal will need to show compliance with the City's Building Code Standards prior to issuance of site development and building permits, which includes compliance with TVF&R standards. Conditions identified at the end of the report are to ensure that the lots are developed to meet City Standards.

The Committee find that through the review in the staff report, and the site development and building permit stages, the site will meet the criterion for approval.

**Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.**

- 9. *Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The applicant proposes minor grading through the site. The majority of the proposed grading is within the conveyance swales between the dwelling units and the creek. Grading of the site includes coring of the private streets and building pads. The existing grade is relatively flat and will not be modified significantly. A single retaining wall is proposed near Walker Road and the creek crossing. The Committee agrees with the applicant that no adverse impacts to the surrounding neighboring properties will occur with the proposed grading. As required, a site development permit will review the proposed grading in relation to the associated public infrastructure improvements, including the shared use pathway and conveyance swales.

Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.

- 10. That access and facilities for physically handicapped people are incorporated into the site and building design, with particular attention to providing continuous, uninterrupted access routes.***

The applicant will be required to meet all applicable accessibility standards of the Uniform Building Code, the Uniform Fire Code and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. The Committee find that through the site development and building permitting reviews, accessibility is thoroughly evaluated. Therefore, the Committee find that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and would thereby be in conformance with Development Code Section 60.55.65 and the criterion will be met.

Therefore, by meeting the conditions of approval, the Committee find that the criterion for approval will be met.

- 11. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

The applicant submitted the applications on March 8, 2004 and was deemed complete on September 3, 2004. In the review of the materials during the application review, the Committee find that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee find the proposal meets the criterion for approval.

#### **CU2004-0007 Conditional Use Application**

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority in APPROVING the proposal and adopting the conditions of approval contained in Attachment E.

#### **LD2004-0015 Land Division Application**

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority in APPROVING the proposal and adopting the conditions of approval contained in Attachment E.

**SV2004-0001 Street Vacation Application**

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority in APPROVING the proposal and adopting the conditions of approval contained in Attachment E.

**Code Conformance Analysis**  
**Chapter 20 Use and Site Development Requirements**  
**R7 (Urban Standard Density) Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.15			
Permitted Use	Detached dwelling use is permitted in the R7 District.	<b>Detached Single Family</b>	Yes
Conditional Use	Planned Unit Developments	<b>Planned Unit Development</b>	
Development Code Section 20.05.50			
Minimum Lot Area	7,000 sq. ft.	<b>Average lot area is approximately 4,300 sq. ft.</b>	Yes
Minimum Lot Dimensions Width corner Width interior Depth corner Depth interior	75 70 90 100	<b>Not Applicable</b>	Yes
Yard Setbacks  Front-Dwelling Front-Garage Side-Dwelling Side-Opposite Side-Garage Rear-Dwelling Rear-Garage	If a PUD is proposed, required setbacks shall apply to the parent parcel where PUD is located.  20 feet 20 feet 5 feet 5 feet 20 feet 25 feet 5 feet	<b>A PUD is part of this application. Project meets Section 60.35.10.1, which allows the modification of base zoning standards, including lot area, dimensional standards, and lot setbacks. Parent parcel setbacks will be met.</b>	Yes

Maximum Building Height	35 feet (without an adjustment or variance)	<b>24 to 29 feet to top of roof.</b>	Yes
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## Chapter 60 – Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.15.10			
Easements	-Provide a 6-foot PUE along front lot lines. -Provide a 3-foot utility and drainage easement along all side and rear lot lines.	<b>6-foot PUE.</b> <b>3-foot utility and drainage easement.</b>	Yes
Easement granted to City	15-foot PUE	<b>15-foot easement will be provided for all public utilities.</b>	Yes
Dedications	As applicable to City or appropriate jurisdiction for maintenance.	<b>SW 173<sup>rd</sup> frontage and dedication of the SW 173<sup>rd</sup> and SW 170<sup>th</sup> intertie on subject parcels. Centerline description to be provided by Washington County. Dedication will occur prior to the recording of the plat.</b>	Yes
Homeowner Assoc.	Copy of draft CC&R's shall be submitted with final plat.	<b>Will submit draft CC&amp;R's with final plat.</b>	Yes
Development Code Section 60.15.15			
Requirements Prior to Commencement of Work	Developer shall file plans, enter into City contract, and provide required security.	<b>Developer will provide plans, cost estimate and security.</b>	Yes
Development Code Section 20.05.55			
Design Features	Detached dwellings shall utilize at least 2 design features.	<b>Design features shall be utilized at the time of building design.</b>	Yes
Landscaping	Required for front yard areas.  Required open space and recreation areas.	<b>Lots will be landscaped when built. Street trees will be planted along street frontages. Open space and common areas will be maintained by an HOA.</b>	Yes
Improvement Procedures	Shall comply with the Code and in proper sequence.	<b>Developer will provide plans for review, obtain site development permit, and construct all</b>	Yes

		improvements to the City's satisfaction.	
Improvements Required	Development related impacts shall be installed at developer's expense.	Developer will install all reasonably related and roughly proportional impacts of the development.	Yes
Maintenance Security	Developer shall enter into a contract with City.	Developer will provide a maintenance agreement of improvements.	Yes
Development Code Section 60.35.10			
Dimensional Standards	<p>-May be modified through approval of a PUD; except for required setbacks of parent parcel.</p> <p>-Intersection standards shall be satisfied.</p>	<p>-Parent parcel setbacks will be achieved.</p> <p>-Site intersection have been reviewed by Washington County's access permit review process. Site distance will need to be met at site development permit.</p>	Yes
Allowed Uses	<p>-Uses in a PUD shall comply with the permitted and conditional use requirements of the base zoning district.</p> <p>-Detached and attached dwellings shall be allowed, provided density requirements are met.</p>	<p>-As allowed in an R7 zone, detached single family residences are proposed.</p> <p>-Detached single family is proposed, meets density.</p>	Yes
Development Code Section 60.35.15			
Common Open Space	<p>-At least 20% of site (excluding setbacks and buffers) when up to and including 10 acres in size.</p> <p>-Shall be maintained and conveyed.</p>	<p>-Project is apx. 7.75 acres, and is providing apx. 51% open space, excluding setbacks and buffers.</p> <p>-Maintained by Homeowners Association.</p>	Yes
Development Code Section 60.45.10			
Solar Access Requirement	<p>-At least 80% of the lots in a development shall comply with one or more of the following: Basic Requirements, Protected Solar Line Option, and Performance Option.</p> <p>Lots that comply / Total Lots = 80% or more</p> <p>-If applicable, adjustments of this Design Standard may be granted by the Director.</p>	<p>-Applicant requests an exemption of the solar access requirement, due to the site limitations of street locations and natural resource on the southern edge of the development. The exemption request has</p>	Yes

		been granted.	
Development Code Section 60.60.10			
Trees & Vegetation	Actions regarding trees and vegetation worthy of special regulation.	<b>Development does not include tree removal which will require a tree plan application.</b>	Yes
Development Code Section 60.60.15			
Pruning, Removal, and Preservation Standards	<p>-Cannot remove or prune tree's canopy or disturb root zone of protected trees. All pruning shall be done in accordance with the City's Tree Planting and Maintenance Policy.</p> <p>-All removal and planting, including replacement or mitigation planting, of protected trees shall be done accordingly.</p> <p>-Must meet mitigation requirements as appropriate.</p> <p>-Comply with requirements to protect the root zone.</p>	<p><b>-No significant trees or groves, historic trees, trees within a SNRA, landscape trees or street trees on site that are proposed to be pruned.</b></p> <p><b>- Development does not include tree removal which will require a tree plan application.</b></p>	Yes
Development Code Section 60.60.20			
Tree Protection Standards	Significant Tree and Grove and Landscape Tree shall be protected during development.	<b>Project site does not include Significant, Grove or Landscape Trees.</b>	Yes
Development Code Section 60.60.25			
Mitigation Standards	These standards apply for the removal of Significant Tree or Grove; and the replacement of Landscape or Street Tree.	<b>Project site does not have Significant Trees or Groves.</b>	Yes